

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MICHAEL CACOPERDO,

Civ. Act. No.: 10-civ-7847 (RPP)

Plaintiff,

-against-

HARTFORD LIFE INSURANCE COMPANY,

Defendant.

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**NOTICE OF MOTION FOR
RECONSIDERATION**

DOCUMENT
ELECTRONICALLY FILED

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law In Support of Its Motion For Reconsideration dated October 26, 2012 and all proceedings had herein, defendant, Hartford Life Insurance Company (“Hartford”), by its attorneys, Sedgwick LLP, will move this Court, on a date and at a time set by the Court, before the Hon. Robert P. Patterson, U.S.D.J., at the United States District Courthouse for the Southern District Of New York, 500 Pearl Street, New York, New York 10007 for an Order pursuant to Rule 6.3 of the Local Rules for the Southern and Eastern Districts of New York for reconsideration of Hartford’s motion for summary judgment dated June 1, 2012, and, in particular, the Court’s ruling in its Order dated October 15, 2012 (Doc. No. 96) (the “Order”) that “material issues of fact exist as to whether Plaintiff has the functional capacity to perform sedentary to light work activities on a regular basis, as claimed by Hartford” and ordering a plenary trial on this issue, and that upon reconsideration, the Court grant Hartford’s motion for summary judgment, hold a summary trial on the administrative record, or in the alternative, remand Plaintiff’s claim to Hartford with specific instructions as to what additional information should be considered by Hartford in its review and determination of Cacoperdo’s benefit claim.

Dated: New York, New York
October 26, 2012

Respectfully Submitted,

s/

MICHAEL H. BERNSTEIN (MB 0579)
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Attorneys for Defendant
HARTFORD LIFE INSURANCE COMPANY

To: Jason A. Newfield, Esq.
Frankel & Newfield, P.C.
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Garden City, New York 11530
Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I, JOHN T. SEYBERT, hereby certify and affirm that a true and correct copy of the attached **NOTICE OF MOTION FOR RECONSIDERATION** was served **via ECF and regular mail** on October 26, 2012, upon the following:

Jason A. Newfield, Esq.
Frankel & Newfield, P.C.
585 Stewart Avenue - Suite 312
Garden City, New York 11530

Dated: New York, New York
October 26, 2012

s/

JOHN T. SEYBERT